

Source of Funding

The recovery fund is established through assessment fees paid by licensed and registered motor vehicle dealers and salespersons. The Motor Vehicle Transaction Recovery Fund is not supported by tax revenues.

The information in this brochure is only a summary. For the actual provisions, refer to the Motor Vehicle Transaction Recovery Fund, Section 46.2-1527.1 et seq. of the Code of Virginia.

To obtain more information or request a claim form, call the Motor Vehicle Dealer Board at (804) 367-1050 or write:

Motor Vehicle Dealer Board
Attn: Motor Vehicle Transaction Recovery Fund
2201 W. Broad Street
Suite 104
Richmond, Virginia 23220
Website: www.mvdb.vipnet.org

The Virginia Motor Vehicle TRANSACTION RECOVERY FUND

MVDB

Motor Vehicle Dealer Board
2201 W. Broad Street
Suite 104
Richmond, VA 23220

MVDB 12 (REV 06/01)

**Commonwealth of Virginia
Motor Vehicle Dealer Board**

The Virginia Motor Vehicle Transaction Recovery Fund has been established to reimburse persons who have suffered loss or damage in connection with the purchase or lease of a motor vehicle due to illegal actions of licensed or registered motor vehicle dealers or salespersons.

Who Is Eligible To File A Claim

Any person who has been awarded a final judgment against a licensed or registered motor vehicle dealer or salesperson in a State or Federal court in Virginia may file a claim with the Motor Vehicle Dealer Board (MVDB) requesting payment from the fund for any portion of such judgment which has not been satisfied.

Need Prior Notification

(Warrant In Debt or Motion for Judgment)

Under VA Code §46.2-1527.4 Any action instituted by a person against licensed or registered dealer or salesperson, which may become a claim against the Fund, shall be served to the Board. Such pleading or documents to the Board by certified mail or equivalent.

The judgment must be based on loss or damage resulting from fraud or fraudulent acts conducted in connection with the purchase of a motor vehicle.

The dealer or salesperson must have been licensed or registered in Virginia during the period in which the fraud occurred.

How To File A Claim

A claim may be filed with MVDB no sooner than 30 days and no later than 12 months after the final judgment. A Motor Vehicle Transaction Recovery Fund judgment claim request form must be accompanied by a certified copy of the final judgment.

To obtain a form, write or call the Motor Vehicle Dealer Board, 2201 W. Broad Street, Suite 104, Richmond, Virginia 23220, (804) 367-1050.

The claim will be reviewed to determine if it meets the requirements for payment from the fund. If the requirements have not been met, the consumer will be notified in writing.

If the requirements have been met, MVDB will notify the dealer or salesperson named on the form that the judgment must be paid. If the judgment is not paid within 30 days of such notice, MVDB will make payment from the fund.

Limitations

A claim is limited to \$20,000 involving a single transaction. Multiple claims involving the same dealer or salesperson are limited to a total of \$100,000. The \$100,000 shall be prorated among all consumers who have filed claims against the same dealer or salesperson.

Neither interest nor punitive damages will be paid from the fund.

For claims arising on or after April 8, 1994, against dealers or salespersons licensed on or after that date may file a claim against the dealer's surety bond.

If there is not enough money in the fund to fully reimburse all consumers, the fund will pay claims in the order in which they were filed until the limit is reached.

Assignment of Rights

MVDB will pay the consumer the amount of the unpaid final judgment, up to the \$20,000 limit per claim and subject to other limitations as to availability of funds, upon the claimants assignment of all rights under such claim to MVDB.

Revocation of License

When a payment is made from the fund, the dealer or salesperson must reimburse the fund within 30 days. If the fund is not reimbursed, the dealer's or salesperson's license will be automatically revoked. MVDB may also take further actions against the dealer or salesperson.
